

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte STEPHAN J. JOURDAN, ADI JOAZ,  
MATTAN EREZ and RONNY RONEN

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Application 09/749,405

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on August 28, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An Order Returning Undocketed Appeal to Examiner was mailed on September 18, 2006 which ordered that the application be returned to the Examiner for submission of a revised Examiner's Answer which corrects the

“Evidence Relied Upon” section and offers a determination regarding the rejection of claim 27. In response, a revised Examiner’s Answer was mailed November 21, 2006 which did correct the problem with claim 27.

It is noted that while the Examiner’s Answer now lists Tran, U.S. Patent Number 5,822,575, “Computer Systems Design and Architecture,” the “Dictionary of Computers, Information Processing, and Telecommunications,” and McFarling, Scott, “WRL Technical Note TN-36: Combining Branch Predictors” as Evidence Relied Upon, it fails to include the “Patt” reference which was cited in the rejection of claims 1-8, 10-15 and 17-23. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for submission of a PTOL-90, which includes the "Evidence Relied Upon" section in order to make the Examiner's Answer compliant;
- 2) for providing a copy of PTOL-90 to appellants; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: *Patrick J. Nolan*  
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PJN:psb

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